

# JOURNAL OF THE HOUSE

Second Regular Session, 95th GENERAL ASSEMBLY

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EIGHTEENTH DAY, MONDAY, FEBRUARY 8, 2010

The House met pursuant to adjournment.

Speaker Richard in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, not only did You create the earth and everyone in it, but You continue to sustain it through Your creative power. May we resist any tendency to take Your blessings for granted. Renew our sense of wonder, gratitude and awe for the things You have made.

Instruct us and guide us along the best path for each day of this Session; with a watchful eye, give us counsel. May we be open and alert to Your directives, full of understanding, not inflexible or irresponsible.

Though the debates are ongoing, the disagreements considerable and the pressures of service unceasing; may we continue to find reassurance and rest in You.

Now may You, the God of peace, fully equip us with every grace that we may need for the doing of Your will, producing in us that which will truly please You.

In the name of Your Son, I pray. Amen.

The Colors were presented by Troops 348, 495 and 900 in observation of the 100<sup>th</sup> anniversary of the Boy Scouts of America Program.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as printed by the following vote:

AYES: 149

Allen	Atkins	Aull	Biermann	Bivins
Brandom	Bringer	Brown 30	Brown 50	Brown 149
Bruns	Burlison	Casey	Chappelle-Nadal	Colona
Corcoran	Cox	Cunningham	Curls	Davis
Day	Deeken	Denison	Dethrow	Dieckhaus
Diehl	Dixon	Dougherty	Dugger	Dusenberg
Emery	Englund	Ervin	Faith	Fallert
Fischer 107	Fisher 125	Flanigan	Flook	Frame
Franz	Funderburk	Gatschenberger	Grill	Grisamore
Guernsey	Guest	Harris	Hobbs	Hodges
Hoskins 80	Hoskins 121	Hummel	Ice	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelly
Kingery	Kirkton	Koenig	Komo	Kratky
Kraus	Kuessner	Lair	Lampe	Largent
Leara	LeBlanc	LeVota	Liese	Lipke

Loehner	McClanahan	McDonald	McGhee	McNary
McNeil	Meadows	Meiners	Molendorp	Morris
Munzlinger	Nance	Nasheed	Newman	Nieves
Nolte	Norr	Oxford	Pace	Parkinson
Parson	Pollock	Pratt	Quinn	Riddle
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Schupp	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	Still
Storch	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Tracy	Viebrock	Vogt
Walsh	Walton Gray	Wasson	Webber	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright
Yaeger	Zerr	Zimmerman	Mr Speaker	

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 009

Burnett	Calloway	Carter	Cooper	Holsman
Hughes	Low	Wallace	Webb	

VACANCIES: 004

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 547 through House Resolution No. 557

## HOUSE CONCURRENT RESOLUTIONS

Representative Lampe, et al., offered House Concurrent Resolution No. 51.  
Representative Walton Gray, et al., offered House Concurrent Resolution No. 52 and  
House Concurrent Resolution No. 53.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 92** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1990** through **HB 2000** and **HB 2026** through **HB 2053** were read the second time.

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HB 1377** - Fiscal Review (Fiscal Note)

## COMMITTEE REPORTS

### **Committee on International Trade and Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Immigration, to which was referred **HB 1675**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Job Creation and Economic Development**, Chairman Flook reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 1684**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Local Government**, Chairman Brown (30) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1559**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

### **Committee on Rules**, Chairman Parson reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1311 & 1341**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1497**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1540**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1543**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 93**, introduced by Representatives Nieves, Smith (150), Jones (89), Ruestman, Leara, Wells, Burlison, Allen, Grisamore, Nolte, Scharnhorst, Gatschenberger, Wright, Ervin, Schaaf, McGhee, Emery, Funderburk, Fisher (125) and Dusenberger, relating to the protection of economic freedom.

**HJR 94**, introduced by Representatives Dethrow, Fisher (125) and Munzlinger, relating to initiative petitions.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2054**, introduced by Representatives Meiners, Norr, Dougherty, Faith, Yaeger, Walsh, Holsman, Kratky, Grill, Pollock, McGhee, Fallert, Corcoran, Wells, Calloway, Brown (50), Pace, Wright, Grisamore, relating to the donated food tax credit.

**HB 2055**, introduced by Representatives Silvey and Nolte, relating to drinking establishments.

**HB 2056**, introduced by Representative Diehl, relating to liens for failure to pay maintenance and support.

**HB 2057**, introduced by Representative Stream, relating to the MO HealthNet division's authority to collect from third-party payors.

**HB 2058**, introduced by Representative Diehl, relating to mechanic's liens.

**HB 2059**, introduced by Representatives Fisher (125), Munzlinger, Stream, Richard, Funderburk, Thomson, Nance, Hobbs, Stevenson, Wells, Deeken, Zerr, Flanigan, Tilley, Jones (89), Diehl, Sater, Schoeller, Lair, Brown (149), Scharnhorst, Day, Guest, Dethrow, Wilson (130), Nieves, Ruestman, Schad and Allen, relating to workers' compensation law.

**HB 2060**, introduced by Representative Molendorp, relating to the fairness for responsible drivers act.

**HB 2061**, introduced by Representatives Lampe, Newman, Oxford, Norr, McGhee, Colona, Jones (63), Englund, Wallace, McNeil, Kratky, Morris, Grisamore, Still, Schoemehl and Skaggs, relating to the use of wireless communication devices while operating motor vehicles.

**HB 2062**, introduced by Representatives Lampe, McNeil, Webb, Zimmerman, Norr and Still, relating to elected officials.

**HB 2063**, introduced by Representative Kraus, relating to liquified petroleum gases.

**HB 2064**, introduced by Representatives Morris, Roorda, Oxford, Walton Gray, Biermann, Grisamore, Hoskins (80), Pace, Brown (50), Webb, Nasheed, Hummel, Atkins, Colona and Calloway, relating to the Reverend Nathaniel Cole memorial pursuit reduction grant.

**HB 2065**, introduced by Representatives Morris, Webb, Pace, Jones (63), Brown (50), Burnett, Oxford, Casey, Hoskins (80), Nasheed, Hummel, Atkins, Colona, Calloway and Carter, relating to the prostate cancer pilot program.

**HB 2066**, introduced by Representatives Morris, Webb, Oxford, Walton Gray, Rucker, Roorda, Schieffer, Brown (50), Nasheed, Hummel, Atkins, Pace, Colona and Calloway, relating to the Missouri clean energy technology center.

**HB 2067**, introduced by Representatives Morris, Pace, Oxford, Walton Gray, Colona, Newman, Brown (50), Webb and Atkins, relating to the reporting of the number of students enrolled in schools.

**HB 2068**, introduced by Representatives Morris, Jones (63), Walton Gray, Oxford, Brown (50), Webb, Nasheed, Atkins and Pace, relating to deposits required by public utilities.

**HB 2069**, introduced by Representatives Morris, Nasheed, Roorda, Brown (50), Webb, Atkins and Pace, relating to vacant property registration fees.

**HB 2070**, introduced by Representative Kelly, relating to taxes for joint central fire and emergency dispatching services.

**HB 2071**, introduced by Representatives Hummel, Carter and Colona, relating to interest on delinquent taxes.

**HB 2072**, introduced by Representatives Ervin, Koenig, Flook, Cox, Bivins, Schaaf, Emery and Sutherland, relating to health care quality and cost efficiency.

**HB 2073**, introduced by Representatives Faith, Denison, Riddle, Kirkton, McDonald and Dougherty, relating to transportation development districts.

**HB 2074**, introduced by Representatives Munzlinger, Pratt, Funderburk, Zerr, Fisher (125), Wright, Riddle, Smith (150) and Gatschenberger, relating to the national hunting and fishing day sales tax holiday.

**HB 2075**, introduced by Representatives Webber, Hummel and Kander, relating to military leave for public employees.

**HB 2076**, introduced by Representatives Parson, Fisher (125), Smith (14), Grisamore, Scharnhorst, Funderburk, Guernsey, Jones (89), Day, Munzlinger, Jones (117), Guest and Leara, relating to concealed carry endorsements.

The following members' presence was noted: Burnett, Calloway, Carter, Cooper and Wallace.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, February 9, 2010.

## COMMITTEE MEETINGS

### AGRI-BUSINESS

Tuesday, February 9, 2010, 1:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SCS SCR 35 & 32

### AGRICULTURE POLICY

Thursday, February 11, 2010, 8:00 a.m. Hearing Room 6.

Public hearing to be held on: HB 1825, HJR 86

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 9, 2010, 2:00 p.m. Hearing Room 4.

Departments of Agriculture and Natural Resources.

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 10, 2010, 2:00 p.m. Hearing Room 4.

Departmental of Natural Resources and Department of Agriculture. AMENDED

### APPROPRIATIONS - EDUCATION

Tuesday, February 9, 2010, 2:00 p.m. Hearing Room 1.

Mark up sheets presentation for Department of Elementary and Secondary Education.

Mark up sheets presentation for Department of Higher Education.

### APPROPRIATIONS - EDUCATION

Wednesday, February 10, 2010, 2:00 p.m. Hearing Room 1.

Mark up presentation for the Department of Elementary and Secondary Education.

Mark up presentation for the Department of Higher Education.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 9, 2010, Hearing Room 3 upon morning adjournment.

Budget overview presentation: Office of Administration/Leasing.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 10, 2010, Hearing Room 3 upon morning adjournment.

Budget overview presentation: Department of Revenue, Tax Commission,

Lottery and General Assembly.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 9, 2010, 2:00 p.m. Hearing Room 5.

Departmental FY 2011 budget presentation.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 10, 2010, 2:00 p.m. Hearing Room 5.

Departmental FY 2011 budget presentation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 11, 2010, 8:00 a.m. Hearing Room 5.

Departmental FY 2011 budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 9, 2010, 8:00 a.m. Hearing Room 3.

Department of Transportation budget presentation.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 10, 2010, 9:00 a.m. Hearing Room 4.

Public hearing to be held on: HB 1858

Executive session will be held on: HJR 76

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, February 10, 2010, 5:00 p.m. Hearing Room 5.

Executive session will be held prior to public hearing.

Public hearing to be held on: HB 1644

Executive session will be held on: HB 1494, HB 1707

ELECTIONS

Tuesday, February 9, 2010, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1966, HJR 64

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 10, 2010, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1628, HB 1803, HB 1831, HCR 13

FISCAL REVIEW

Wednesday, February 10, 2010, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HCS HB 1377

FISCAL REVIEW

Thursday, February 11, 2010, 8:00 a.m. House Chamber south gallery.

All bills referred to committee.

Executive session may follow.

HEALTH CARE POLICY

Wednesday, February 10, 2010, Hearing Room 6, 12:00 p.m. or upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 1918, HB 1270

HEALTHCARE TRANSFORMATION

Tuesday, February 9, 2010, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1548

HIGHER EDUCATION

Tuesday, February 9, 2010, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1473

JOINT COMMITTEE ON TAX POLICY

Tuesday, February 9, 2010, 8:30 a.m. Pershing Gallery Conference Room.

Pursuant to Section 610.022.2 relating to closed meetings and Section 610.021(3) relating to personnel matters, a vote will be taken to hold a closed meeting to discuss personnel issues.

AMENDED

LOCAL GOVERNMENT

Wednesday, February 10, 2010, 8:00 a.m. Hearing Room 7.

Executive session may be held. CORRECTED

Public hearing to be held on: HB 1567, HB 1568, HB 1589, HB 1806

PUBLIC SAFETY

Tuesday, February 9, 2010, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1205, HB 1242, HB 1472

SPECIAL STANDING COMMITTEE ON CHILDREN AND FAMILIES

Wednesday, February 10, 2010, 8:00 a.m. Hearing Room 1.

Executive session will follow.

Public hearing to be held on: HB 1365, HB 1546

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN ANIMAL AGRICULTURE

Tuesday, February 9, 2010, 5:00 p.m. Hearing Room 1.

Public hearing to be held on: HB 1662

SPECIAL STANDING COMMITTEE ON GENERAL LAWS

Tuesday, February 9, 2010, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1446, HJR 45, HJR 69, HJR 70, HJR 72

SPECIAL STANDING COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 10, 2010, 12:00 p.m. Hearing Room 4.

Public hearing to be held on: HB 1639, HB 1648, HB 1824, HB 1832



**TOURISM**

Thursday, February 11, 2010, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1336, HB 1271

**TRANSPORTATION**

Tuesday, February 9, 2010, 12:00 p.m. Hearing Room 7. AMENDED

Public hearing to be held on: HB 1258, HB 1310, HB 1330, HB 1775,  
HB 1776, HB 1668, HB 1941

**UTILITIES**

Tuesday, February 9, 2010, 12:00 p.m. Hearing Room 1.

Public hearing to be held on: HB 1610

Executive session will be held on: HB 1750

**VETERANS**

Tuesday, February 9, 2010, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1208, HB 1745, HB 1893

**HOUSE CALENDAR**

NINETEENTH DAY, TUESDAY, FEBRUARY 9, 2010

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 93 and HJR 94

**HOUSE BILLS FOR SECOND READING**

HB 2054 through HB 2076

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1542 - Deeken
- 2 HCS HBs 1311 & 1341 - Scharnhorst
- 3 HCS HB 1497 - Smith (150)
- 4 HCS HB 1540 - Lipke

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCS HCRs 34 & 35, (1-27-10, Page 167) - Icet

**HOUSE BILLS FOR THIRD READING**

HCS HB 1377, (Fiscal Review 2-8-10) - Brandom

**HOUSE CONCURRENT RESOLUTIONS**

HCR 38, (1-27-10, Page 168) - Icet